

REMARKS

Claims 1-6 are pending in the present application; all claims have been rejected in the present Office Action.

Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,449,498 to Kirbas et al.

Claims 3-4 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. US 2004/0014459 by Shanahan et al.

Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kirbas in view of Shanahan.

Kirbas teaches a method and system for changing a banner on a communication device. The banner is simply an image. Selected banners are displayed on selected days. The banners may include messages, so that pre-selected messages can be displayed on specific days.

Shanahan teaches a system and method to program user-defined information into an electronic device.

The present invention provides a predetermined image or ring tone for the called party to remind the called party of a specific occasion *when a call is received*. The cited references merely provide ways for the user to change images and audio on electronic devices. Although Kirbas displays a certain image on a certain date, Kirbas does not do so upon receiving a call; Kirbas displays the selected banner for the course of the day and does not change upon initiation of communication.

According to the present invention, an idle, or default screen is displayed until a call is accepted. When the call is accepted, and communication has been initiated, the inventive method determines whether the current date is a registered occasion date, and if it is, displays a corresponding image to remind the user of the registered occasion date. The user is reminded *by the call* using an *image* on the display.

As amended, Claim 1 recites a method of alerting the user of the phone of an occasion date *when a call is received*. The call is accepted and it is determined whether today is a registered occasion date. A first image is displayed on the phone for the user. If today is a registered occasion date, the first image is changed to remind the user of the occasion date. These steps are taken after accepting

a call, when communication has started and a connection is established. Claim 3 works the same way with a ring tone, and Claim 5, with both an image and a ring tone.

The Examiner cites col. 2, lines 46-49 of Kirbas and states that this section inherently accepts a call on a phone. That section of Kirbas states:

The communication device is preferably a portable cellular telephone, but may be any communication device having data storage capabilities and a display screen such as, for example, a pager.

Immediately following that section, Kirbas states:

It is to be understood that the displaying of unique messages mentioned hereinbelow is preferably performed *during standby mode of operation of the communication device*. To assist in describing the invention, "*standby mode of operation*" is defined as the period when the communication device is on but when the user of the communication device is not involved in active communication through the communication device. [col. 2, lines 49-56; emphasis added]

The first step of Claim 1 is "accepting a phone call," which is the first step for starting active communication. Kirbas, therefore, does not anticipate independent Claim 1.

With respect to the rejection of Claim 3, this claim has been amended to recite the additional limitation of entering an occasion date registration mode on a phone, displaying an occasion date registration screen on the phone, the occasion date registration screen including a menu for the user to select an occasion date and incoming call ring sound, and registering the occasion date. Shanahan simply does not teach these steps; there is no discussion of the occasion date registration mode or screen as recited in amended Claim 3.

With regard to amended Claim 5, the same arguments set forth above for Claim 1 apply to Claim 5, to distinguish Claim 5 over Kirbas. Shanahan does not cure the deficiencies of Kirbas because Shanahan does not teach displaying a first predetermined image for an idle mode and changing it to a second predetermined image if today is the registered occasion date.

It is respectfully submitted, therefore, that Claims 1, 3 and 5 are allowable over the cited references and further, respectfully requested that their rejection be withdrawn.

Without conceding their patentability *per se*, Claims 2, 4 and 6 should also be allowable based at least on their dependency from Claims 1, 3, and 5, respectively.

It is respectfully submitted that all currently pending claims, i.e. Claims 1-6, are presently in condition for allowance. Should the Examiner feel that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



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